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PROCEEDINGS OF THE COMMON COUNCIL  
IN Regular SESSION  
Tuesday, March 12, 19 74

CITY OF FORT WAYNE, INDIANA  
JOURNAL OF THE PROCEEDINGS  
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers  
Tuesday evening March 12 A.D., 19 74, in Regular  
Session. President Samuel J. Talarico in the chair, and  
Charles W. Westerman Clerk, at the desk, present the following  
members \_\_\_\_\_ viz:  
Burns ✓, Hinga ✓, Kraus Absent  
Moses ✓, Nuckols ✓, Donald Schmidt ✓  
Vivian Schmidt Absent, Stier ✓, Talarico ✓  
Absent \_\_\_\_\_  
Councilmen V. Schmidt, Kraus,  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

The invocation was given by Reverend Olden Ray - Central City Mission

Received report from the City Controller for the month of \_\_\_\_\_,  
19\_\_\_\_. Motion made and carried that report be made a matter of record and  
placed on file.

The minutes of the last regular special \_\_\_\_\_, 19\_\_\_\_,  
February 26, 19 74,  
Session having been delivered to the Council, were, on motion, approved and  
published.

# Central City Mission of Fort Wayne, Inc.

1217 McCulloch Street  
Fort Wayne, Indiana 46803  
Phone 426-6132

*Character Building Through Christian and Educational Growth*

Rev. Olden M. Ray Sr.  
Minister—Coordinator  
Resident Agent

Miss Gladys Schumacher  
Secretary

Mrs. Mary Ray  
Dir. Children's Dept.

From the pastor's Desk  
March 12, 1974

The Invocation for the City Council Meeting of March 12, 1974  
Delivered by Rev. Olden M. Ray Sr.

Gracious God, our Eternal Father, the same yesterday, today, and forever. We come before thy throne of Grace praising thy Holy Name. We look to thee as the Father of All Mankind, in whose will is our ~~xxx~~ peace, in whose love is our life, and in whose service is our joy. We look to thee as the creator of the Sun, the Moon, and the Stars. We look to thee as the Creator of the rocks, the hills, and the streams. We look to thee as the sender of the Sunshine, the Wind, and the Rain. We look to thee as the Giver of Every Good and Perfect Gift.

Father God, we pause to thank thee for our lives, for our health, and for that sense of duty to our fellowmen that has lead us into this Great City Hall. As we stand or sit here let us remember that these are the most critical of times for all men, but that we will keep our Charge.

Let us remember that our decisions mean much to our people. Keep us from thinking too highly of ourselves so that we can live soberly, thinking clearly, and acting courageously.

Father God, we pray thy blessings upon the Mayor of this our city. We pray thy blessings upon the members of this common Council, and Father God, we pray thy blessings upon the rest of us. We are praying that thou would'st keep us ever mindful of the great Traditions wherein we stand, and the great cloud of witnesses which daily surround us in this historic chamber. Give to us now, Father God, an unwavering faith in the power of our presense, in the future of our freedom, and in the care which we know is thine alone, to protect us and to provide for our every need.

In this spirit let us stand upon our feet and live out our lives. Then, as we go down from this place at that appointed hour, let us feel within a sense of accomplishment, while we think upon our fellowmen as our freinds. For if the wings of mercury are to be attached to our feet, and the garland of truth is to be hung around our shoulders, while the touch of hope, placed in our hands, and held high above our heads, while its flame trail our every step---we will bring in the Sheaves.

Knowing that we cannot reap a harvest of seed, other than a harvest of that seed ~~xxxxxxx~~ we have sown. We cannot hope for reward from work done at the expence of some other human being--we cannot give to others the fruit of the labor of men for whom we do not give due credit--we ~~xx~~ cannot expect a good and noble end, if we have spurned good and noble means, and have done no good and noble deeds.

Let us strive to do our best with the gifts that we bring to this chamber, and let us look upon each man as someone possessing at least, a spark of good, knowing that as we search for the good in each man that we meet, we stand at least, and even chance that he will find some good in us.

This prayer we pray in the spirit of Him who is Lord of Life,

Amen.



## THE CITY OF FORT WAYNE

office of the mayor

February 28, 1974

To the Common Council  
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, February 28, 1974, I have approved the following ordinances passed by the Common Council at its regular meeting on February 26, 1974.

(Bill No. A-74-02-01)  
APPROPRIATION ORDINANCE NO. A-02-74

AN ORDINANCE transferring certain funds from the unobligated and unappropriated balance of the Parking Meters & Lots Fund to Account No. 29-890 Snow Removal.

(Bill No. A-74-02-02)  
APPROPRIATION ORDINANCE NO. A-03-74

AN ORDINANCE appropriating funds from the unobligated balance of the Redevelopment Capital Fund to Account 44-264 Demolition.

(Bill No. A-74-02-03)  
APPROPRIATION ORDINANCE NO. A-04-74

AN ORDINANCE transferring certain funds from the unobligated and unappropriated balance of the Aviation Fund to Account No. 840-730 Land.

(Bill No. A-74-02-04)  
APPROPRIATION ORDINANCE NO. A-05-74

AN ORDINANCE appropriating funds from the unexpended and unappropriated balance of the General Fund to Account No. 750-111 Salaries in Weights & Measures.

(Bill No. S-74-02-05)  
SPECIAL ORDINANCE NO. S-18-74

AN ORDINANCE approving a contract with PREFERRED PRODUCTS SALES COMPANY for Street Lighting Program.

MADE A MATTER OF RECORD  
DATE 3/12/74 CHARLES W. WESTERMAN, CITY CLERK

(Bill No. S-74-02-06)  
SPECIAL ORDINANCE NO. S-19-74

AN ORDINANCE approving a certain bid document with BRATEMAN BROTHERS for blanket purchase order for police uniforms and equipment.

(Bill No. S-74-02-07)  
SPECIAL ORDINANCE NO. S-20-74

AN ORDINANCE approving a certain bid document with SCHMIDT ELECTRIC for Traffic Signal Installation.

(Bill No. S-74-02-16)  
SPECIAL ORDINANCE NO. S-21-74

AN ORDINANCE approving an agreement with I.B.M. CORPORATION, For Printer.

(Bill No. S-74-02-20)  
SPECIAL ORDINANCE NO. S-22-74

AN ORDINANCE approving a certain bid document for construction of and equipment for in connection with Open Space Project OSC-1008.

(Bill No. R-74-02-23)  
RESOLUTION NO. R-05-74

A RESOLUTION authorizing the temporary advancement of funds from the Local Road & Street, Public Lighting, Redevelopment Capital, Motor Vehicle Highway, Park Trust, Sewer Relief, Park Cumulative, St. Marys River Impounding, and Parking Meters funds to the General Fund, Park General, Fire Pension, Police Pension Emergency Medical Service, and Cumulative Capital funds for the period ending June 30, 1974.

(Bill No. R-74-02-25)  
RESOLUTION NO. R-06-74

A RESOLUTION approving Budget of Fort Wayne and Allen County Convention and Tourism Authority for 12 month Period, Beginning 1-1-74 and Ending 12-31-74.

(Bill No. R-74-02-32)  
RESOLUTION NO. R-07-74

A RESOLUTION FOR RETENTION OF FULL FREIGHT AND PASSENGER SERVICE BY PENN CENTRAL RAILROAD IN THE CITY OF FORT WAYNE AND IN THE FORT WAYNE AREA.

(Bill No. S-74-02-10)  
SPECIAL ORDINANCE NO. S-23-74

AN ORDINANCE approving a contract with SCHMIDT ELECTRIC, INC. for street Lighting in Tower Heights Addition.

(Bill No. S-74-02-11)  
SPECIAL ORDINANCE NO. S-24-74

AN ORDINANCE approving Change Orders for St. Joe Interceptor Sewer.

(Bill No. S-74-02-13)  
SPECIAL ORDINANCE NO. S-25-74

AN ORDINANCE approving contracts for 18 Units of Transportation and/or capital equipment for various City Utilities Departments.

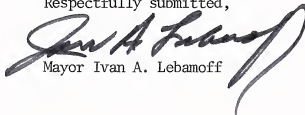
(Bill No. S-74-02-14)  
SPECIAL ORDINANCE NO. S-26-74

AN ORDINANCE approving blanket purchase orders with NEPTUNE METER COMPANY and TRI-STATE PLUMBING SUPPLY CO., INC. for materials for 1974 Water Construction.

(Bill No. S-74-02-15)  
SPECIAL ORDINANCE NO. S-27-74

AN ORDINANCE approving City Utilities Purchase Order No. 3243 for the purchase of trenching machine for Light Construction.

Respectfully submitted,

  
Mayor Ivan A. Lebamoff



## THE CITY OF FORT WAYNE

office of city plan commission

February 27, 1974

### COMMUNICATION FROM CITY PLAN COMMISSION

To the Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-72-12-34

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
27th day of February, 1974

George H. Roser  
Secretary

MADE A MATTER OF RECORD  
DATE 3/12/74 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

office of city plan commission

February 27, 1974

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held February 27, 1974. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

I. Bill No. Z-72-12-34

- a. Intended Use: Am-Vets (Private club)
- b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a. Ordinance received a DO PASS recommendation subject to conditions at Plan Commission meeting held January 22, 1973. Petitioners made no effort to comply with set conditions.
- b. Notification letters were mailed to the petitioner on September 4, 1973, December 19, 1973, January 24, 1973, and certified mail on February 5, 1974. Petitioner did not respond to any of the notification letters.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush*  
Richard S. Wanush  
Senior Planner

RSW:pr

ATT.

CC: Mayor Ivan Lebamoff



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 12, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-12-34; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

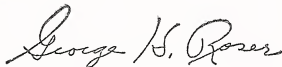
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 15, 1973;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons the petitioners did not comply with the conditions set out by the Plan Commission at their meeting held January 22, 1973, nor did they respond to the numerous notification letters sent by the City Plan Commission Staff.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this  
27th day of February, 1974.



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George H. Roser  
Secretary

[illegible]

**N**





## THE CITY OF FORT WAYNE

office of city plan commission

February 27, 1974

### COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-03-13

Respectfully Submitted

CITY PLAN COMMISSION

Certified and signed this  
27th day of February, 1974.

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George H. Roser  
Secretary

MADE A MATTER OF RECORD  
DATE 3/12/74 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

office of city plan commission

February 27, 1974

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

I. Bill No. Z-73-03-13

This ordinance was requested to be WITHDRAWN by Written Request by the attorney representing the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush* (per)

Richard S. Wanush  
Senior Planner

RSW:pr  
ATT.

CC: Mayor Ivan Lebaroff

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 13, 1973, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-73-03-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 26, 1973; and,

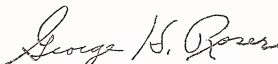
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the attorney representing the petitioner;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be WITHDRAWN in accordance with the written request of the attorney representing the petitioner;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

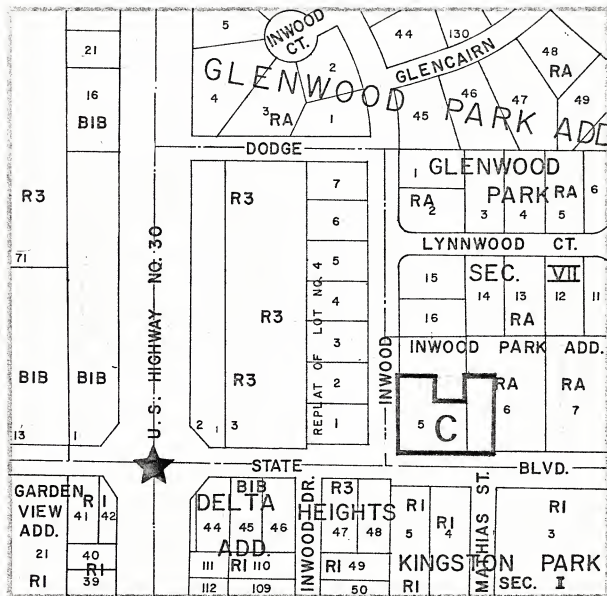
This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this  
27th day of February, 1974.



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George Roser  
Secretary



## C CHANGE FROM RA TO R3

The South 150 feet of the West 1/2 of Lot Number 5 in Inwood Park Addition to the City of Fort Wayne, Allen County, in the State of Indiana; and respectively

The East 70 feet of the South 100 feet of Lot 5 and the West 30 feet of the South 150 feet of Lot 6 in Inwood Park Addition to the City of Fort Wayne, Allen County, In the State of Indiana

2-73-03-13



## THE CITY OF FORT WAYNE

office of city plan commission

March 5, 1974

### COMMUNICATION FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-73-07-03

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
5th day of March, 1974.

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George H. Roser  
Secretary

MADE A MATTER OF RECORD  
DATE 3/14/74 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

office of city plan commission

March 5, 1974

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their Executive Meeting held February 25, 1974. This review was held at the request of Council and after careful reconsideration the original recommendation of the Plan Commission was reaffirmed.

In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-73-07-03

- a. Intended Use: Mobile Home Park
- b. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- (1) At the present time access to the site will not adequately handle the increase in traffic volumes.
- (2) Adequate sites now exist for the development of Mobile Home Parks.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

*Richard S. Wanush*  
Richard S. Wanush  
Senior Planner

RSW:pr  
ATT.

cc: Mayor Ivan Lebamoff



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, in August, 1973, referred a proposed zoning map amendment to the City Plan Commission for reconsideration of its original recommendation on proposed Bill No. Z-73-07-03; and,

WHEREAS, the City Plan Commission reconsidered this proposed bill at it's February 25, 1974, Executive Meeting; and,

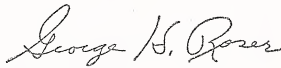
NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby reconfirm its original recommendation that such proposed ordinance DO NOT PASS for the following reasons:

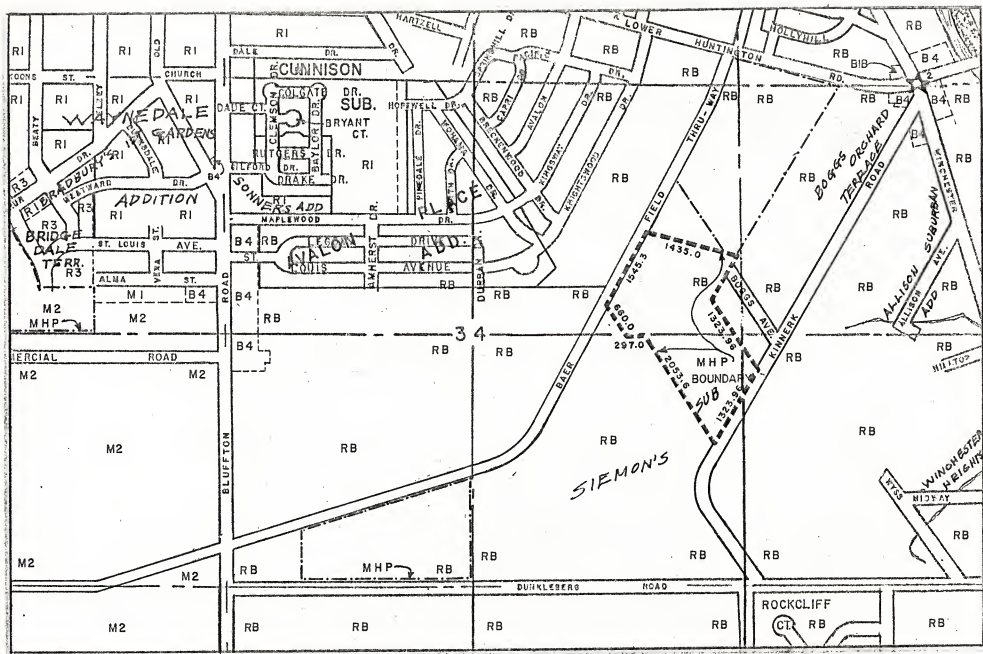
1. At the present time access to the site will not adequately handle the increase in traffic volumes.
2. If adequate access corridors were available in the area, the Plan Commission would not object per se to the location of a Mobile Home Park on this site. However, the Commission does feel that the time of this improvement and potential congestion is of such a critical nature that the development of a Mobile Home Park, at this time, would present unacceptable planning, development and neighborhood problems.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 25, 1974.

Certified and signed this  
5th day of March, 1974.

  
\_\_\_\_\_  
George H. Roser  
Secretary



----- PROPOSED MOBILE HOME DISTRICT BOUNDARY

2-13-07-03



THE CITY OF FORT WAYNE

office of city plan commission

March 7, 1974

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated:

Bill No. C-73-10-53

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this  
7th day of March, 1974.

George H. Roser  
Secretary

MADE A MATTER OF RECORD  
DATE 3/12/74 CHARLES W. WESTERMAN, CITY CLERK



## THE CITY OF FORT WAYNE

office of city plan commission

March 7, 1974

Members of the Common Council  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to a zoning text amendment acted upon by the City Plan Commission at their regular meeting held January 28, 1974. The following are remarks pertaining to the ordinance involved:

1. Bill No. G-73-10-53

An ordinance amending Section 17 of the Zoning Ordinance of the City of Fort Wayne, Indiana, by adding a provision for screen fencing for junk yards, refuse dumps, and certain other open land uses.

2. Plan Commission recommendation: DO PASS subject to the addition of the following maintenance clause:

Section 2, Section 17.B. (6) (a):

"This fencing shall also be properly maintained, in structure, material and color."

3. This ordinance received a DO PASS recommendation for the following reasons:

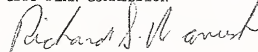
- (a) The Commission felt that junk yards, refuse dumps and certain other open land uses were significant causes of blight in certain areas of the City.
- (b) Screening would significantly alter the impact of these uses on surrounding property.

March 7, 1974

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

  
Richard S. Wanush  
Senior Planner

RSW:pr  
ATT.

CC: Mayor Ivan Lebamoff

RESOLUTION OF ZONING ORDINANCE TEXT AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on October 23, 1973, referred a proposed zoning text amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-73-10-53; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 28, 1974;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS subject to the addition of the following maintenance clause:

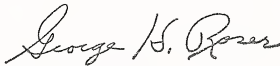
To be added to Section 2, Section 17.B. (6) (a):

This fencing shall also be properly maintained, in structure, material and color.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 28, 1974.

Certified and signed this  
7th day of March, 1974.



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George H. Roser  
Secretary



## THE CITY OF FORT WAYNE

department of public safety

March 8, 1974

President of the Common Council  
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbered 7-74/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully submitted,

*Thomas J. Casaburo*, ss

Thomas J. Casaburo  
Director of Public Safety

DATE 3/12/74 MADE A MATTER OF RECORD  
CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 7-74 / E)

I hereby certify that I did this 8th day of March, 19 74 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 7-74 / E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Secretary of said Board, in accordance with the provisions of Section 20 (a) of Chapter 31, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.

Richard M. Drake

EXECUTIVE SECRETARY



REGULATORY RESOLUTION NO. 7-74/E

(Adopted March 8, 19 74)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to designate one way

\_\_\_\_\_ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 7, 19 74, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55. adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective March 8, 19 74, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. ONE WAY

1. East Swinney Park East Drive - One Way - northbound from Jefferson Blvd. to 100 ft. north thereof
2. East Swinney Park West Drive - One Way - southbound from Jefferson Blvd. to 100 ft. north thereof
3. West Swinney Park South Dr. - One Way - eastbound from West Drive to East Drive
4. West Swinney Park Middle Dr. - One Way - northbound from South Drive to the North Drive
5. West Swinney Park East Drive - One Way - northbound from South Drive to the North Drive
6. West Swinney Park North Dr. - One Way - westbound from the East Drive to the West Drive
7. West Swinney Park West Drive - One Way - southbound from the North Drive to the South Drive



COMMON COUNCIL  
CITY OF FORT WAYNE  
ONE EAST MAIN ST.  
FORT WAYNE, INDIANA 46802

~~WILLIAM D. MOSELEY, JR.  
PRESIDENT OF THE CITY COUNCIL &  
COUNCILMAN - FIFTH DISTRICT~~

March 7, 1974

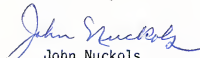
Joseph Ridley, Chairman  
East Central NDP PAC  
909 Madison Street  
Fort Wayne, Indiana 46803

Dear Joe:

In an effort to save the NDP and for the betterment of the community, I am asking that the area which included my property and has been such a bone of contention over the last several months be withdrawn from any and all further consideration in context of our present NDP.


Further, I would request that you hold as soon as possible a meeting with the PAC to formerly pass on my request.

Sincerely,

  
John Nuckols

JN/dlj

cc: Ivan A. Lebamoff, Mayor  
Toney Caruso, Redevelopment Commission

MADE A MATTER OF RECORD  
DATE 3/13/74 CHARLES W. WESTERMAN, CITY CLERK  




COMMON COUNCIL  
CITY OF FORT WAYNE  
ONE EAST MAIN ST.  
FORT WAYNE, INDIANA 46802

VIVIAN G. SCHMIDT  
MEMBER OF CITY COUNCIL  
COUNCILMAN AT LARGE

March 12, 1974

Members of the Common Council  
City of Fort Wayne  
City-County Building  
One Main Street  
Fort Wayne, Indiana 46802

Gentlemen:

Because I am out of the City on personal business I am unable to attend the Regular Meeting of the Common Council on March 12, 1974. I regret that I must be absent on this date.

Sincerely,

Vivian G. Schmidt  
Member of Common Council  
At Large

MADE A MATTER OF RECORD  
DATE 3/12/74 CHARLES W. WESTERMAN, CITY CLERK

JAMES J. STEWART  
H. WILLIAM IRWIN  
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FRANK H. FAIRCHILD  
(1910-1954)

JOHN E. HURT  
MARTINSVILLE, INDIANA

March 6, 1974

Re: Rezoning Petition  
Bill No. 2-73-09-10  
Shopping Center (B-2)  
Intersection of West  
Illinois Road and S.R. 14

Mr. Samuel Talarico  
Fort Wayne City Council  
Fort Wayne, Indiana

Dear Mr. Talarico:

We are writing this letter in behalf of the petitioners,  
Duane Bobeck, Fred W. Garver and Bobeck Real Estate Company,  
Inc.

It is our understanding that the above captioned Bill was  
rejected on Tuesday, February 26, 1974, at a hearing at which  
neither the petitioners nor their counsel were present.

By this letter, we are objecting to that rejection and the  
procedure followed on the grounds that it was illegal, in vio-  
lation of all concepts of due process, and the result of mis-  
conduct. Therefore, we request, on behalf of petitioners, that  
immediate action be taken to nullify and set aside your vote of  
Tuesday, February 26, and to reconsider the above-captioned  
Bill according to the proper and lawful procedure.

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This Bill came before the Council pursuant to a "Do Pass" recommendation from the Plan Commission on November 26, 1973. Several hearings were scheduled either by the Council or the Regulations Committee of the Council in regard to this Bill and each time both petitioners and their counsel were present and prepared to present any material requested. It might be added that attendance at these called meetings was at some inconvenience to the petitioners and their counsel, including the necessity of cancellation of vacations and arranging for special charter flights in order to attend and be present.

At the last meeting of the Regulations Committee on February 12, 1974, the Committee, pursuant to proper motion and vote, agreed to postpone any decision on this Bill until such time as the petitioners submitted a proposed total development plan which was of some concern to several of the Council Members. Petitioners started preparation of those plans and were in the process of preparing same at the time of the February 26th meeting.

It is our understanding at the February 26th meeting the Bill was called up for vote by the Committee of the whole by the Councilman who has at all times been in complete opposition to this Bill. It is our further understanding that this was done, contrary to the rules, without any recommendation by either the Regulations Committee or the Committee of the whole.

In addition, counsel for the remonstrators personally came to the office of one of the petitioners three hours before the hearing for the purpose of confirming that no vote would be taken and that there was no point in either the petitioners or the remonstrators being present. Relying on this, petitioners or their counsel did not appear. Counsel for remonstrators, however, did show up and was present at the hearing and presented some sort of legal document on zoning law for the consideration of the Council, a document that the petitioners and their counsel had not seen and to which they had no opportunity to respond. To

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our knowledge the Council made no request for additional legal briefs or argument.

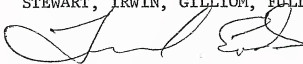
Furthermore, it is our understanding that Mr. Bloom, in some capacity, and pursuant to some request, submitted a legal opinion concerning this Bill which was presented to the Council on February 26th without a copy thereof being seen by petitioners or their counsel. Regardless of its content or by whom requested, such action presents a clear conflict of interest in view of the fact that Mr. Bloom is a law partner of one of the attorneys representing the remonstrators.

The above circumstances and the coincidence of events we find shocking and inexcusable. If a vote is to be taken and this Bill is rejected, such is certainly within the discretion of the Council. However, if such is to be the case, petitioners should at least expect the decision to be legal and that procedures, due process, and general concepts of fair play be followed.

For the above reasons, we reiterate our request that the action of the Council on the above Bill at the hearing of February 26, 1974, be nullified and that the Bill be reconsidered pursuant to legal and proper procedures.

Very truly yours,

STEWART, IRWIN, GILLIOM, FULLER & MEYER

A handwritten signature in dark ink, appearing to read 'Terence L. Eads', is written over the typed name. The signature is fluid and cursive, with a large initial 'T' and a stylized 'E'.

Terence L. Eads

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 12th day of March, 19 74; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 12th day of March, 19 74.

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Charles W. Westerman  
City Clerk

SEAL